

KAEMPFER CROWELL
Robert McCoy, No. 9121
Joni A. Jamison, No. 11614
1980 Festival Plaza Drive
Suite 650
Las Vegas, Nevada 89135
Telephone: (702) 792-7000
Facsimile: (702) 796-7181
Email: rmccoy@kcnvlaw.com
Email: jjamison@kcnvlaw.com

Attorneys Defendant Cannery
Casino Resorts, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARK KALLING, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

CANNERY CASINO RESORTS, LLC (d/b/a)
Cannery Casino Hotel)(d/b/a Cannery Casino
& Hotel); and DOES 1 through 100, inclusive,

Defendants.

Case No. 2:17-cv-02592-JCM-NJK

JOINT STATUS REPORT

The parties jointly submit this status report in response to the Court's January 10, 2018 Order (Dkt. No. 12). For the reasons explained below, the parties stipulate to continue the stay currently in place, including all pleading and discovery deadlines, for an additional 30 days:

The parties make this stipulation on the following grounds:

1. The parties originally sought this stay pending the United States Court of Appeals for the Ninth Circuit's issuance of a decision in *Noble v. Nevada Checker Cab Corporation*, (D. Nev. Case No. 2:15-cv-02322-RCJ-VCF; 9th Cir. Case No. 16-16573), which also involved the alleged violation of the Fair and Accurate Credit Transactions Act ("FACTA").

2. The United States Court of Appeals for the Ninth Circuit issued its unpublished decision in *Noble* on March 9, 2018.

3. Since the issuance of the unpublished *Noble* decision, the parties have met and conferred to determine how to proceed in this case. Among the issues the parties have discussed is a potential resolution of the claims asserted in this case.

4. Given this, counsel for both plaintiff and defendant agree that an additional 30-day stay of this case pending further meeting and conferring will promote efficiency and reduce costs as contemplated by Fed. R. Civ. P. 1.

5. If the Court approves this stipulation, the parties will file a status report in 30 days from the date of the Court's Order.

DEMPSEY, ROBERTS & SMITH, LTD.

KAEMPFER CROWELL

By /s/ Kenneth M. Roberts
Kenneth M. Roberts, No. 4729
1130 Wigwam Parkway
Henderson, Nevada 89074

By /s/ Robert McCoy
Robert McCoy, No. 9121
Joni A. Jamison, No. 11614
1980 Festival Plaza Drive
Suite 650
Las Vegas, Nevada 89135

CHANT & COMPANY
A Professional Law Corporation

Attorneys for Defendant Cannery Casino
Resorts, LLC

By /s/ Chant Yedalian
Chant Yedalian (*Pro Hac Vice*)
1010 N. Central Ave.
Glendale, CA 91202

Attorneys for Plaintiff Mark Kalling

ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: March 27, 2018